

**OPINION
57-133**

May 16, 1957 (OPINION)

MOTOR VEHICLES

RE: Speed Limit for Buses

In connection with your inquiry as to what is the law concerning the speed limit for passenger buses, it is the opinion of this office:

Subsection 32, section 1 chapter 237 of the North Dakota 1955 Session Laws states:

"'Bus' shall mean every motor vehicle designated for carrying more than ten passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation;"

Subsection 8, section 39-0902 of the North Dakota 1955 Session Laws States:

"The highway commissioner may designate specific areas of state highways where the maximum speed limit of sixty-five miles per hour for passenger vehicles from sunrise to sunset is permissible. The maximum speed limit for all trucks shall be fifty miles per hour. A lower speed limit than fifty miles per hour may be designated for all vehicles in certain areas by the commissioner if in his opinion conditions warrant this action. Fifty-five miles per hour under all other conditions."

Since subsection 32 of section 1 of chapter 237 of the North Dakota 1955 Session Laws states in effect that a bus means motor vehicles designated to carry more than ten passengers and used for the transportation of persons, then it follows that buses come within the law, insofar as speed limits are concerned, which are applicable to passenger vehicles under subsection 8, section 39-0902 of the North Dakota 1955 Session Laws.

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